

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

WELLS FARGO BANK, N.A.,	:	
Plaintiff,	:	
v.	:	Civil No. 8:18-cv-00127-TDC
BUSINESS LOAN CENTER, <i>et al.</i>	:	
Defendants.	:	

CONSENT MOTION TO REMAND TO STATE COURT

COMES NOW the Plaintiff Wells Fargo Bank, N.A. (“Wells Fargo Bank”), by counsel, and with the consent of the Defendant United States of America, hereby moves this Honorable Court to remand these proceedings to the Circuit Court for Prince George’s County, Maryland, for the reasons set forth in the accompanying Memorandum.

Respectfully submitted,

FIDELITY NATIONAL LAW GROUP

_____/s/_____

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FOR THE DISTRICT OF MARYLAND**

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Plaintiff,	:	
v.	:	Civil No. 8:18-cv-00127-TDC
BUSINESS LOAN CENTER, <i>et al.</i>	:	
Defendants.	:	

**MEMORANDUM IN SUPPORT OF
PLAINTIFF'S CONSENT MOTION TO REMAND TO STATE COURT**

COMES NOW the Plaintiff Wells Fargo Bank, N.A. ("Wells Fargo Bank"), by counsel, and in support of its Consent Motion to Remand to State Court hereby states the following:

1. Plaintiff originally filed this lawsuit on November 16, 2017, in the Circuit Court for Prince George's County, Maryland, Case No. CAE17-35500, seeking to establish and/or confirm its lien against real property in Prince George's County.

2. The United States of America was named as a defendant on the grounds that it may be claiming an interest in the subject property by virtue of its judgment against one of the owners of the property.

3. On January 12, 2018, the United States removed this case to the United States District Court for the District of Maryland on the basis of federal question subject matter jurisdiction, specifically, 28 U.S.C. § 2410 and 28 U.S.C. § 1444, pertaining to actions affecting property on which the United States has a lien.

4. Thereafter, on March 26, 2018, the United States filed a Disclaimer of Interest disclaiming any right, title, or interest in the subject property and averring that its liens have lapsed and that the statute of limitations for collecting the underlying liabilities has expired.

5. Accordingly, the United States no longer has any interest in the subject property and there is no longer a basis for federal subject matter jurisdiction.

6. The remaining legal issues in this case present questions of pure state law pertaining to the attachment and priority of competing lienholders.

7. Pursuant to 28 U.S.C. § 1447(c), “If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”

8. The undersigned represents to this Honorable Court that he has conferred with counsel for the United States of America and that it consents to this Motion. The Plaintiff has not been able to locate and serve any other defendants in this matter and therefore no other consent could be obtained.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an order remanding this matter to the Circuit Court for Prince George’s County, Maryland, and mailing a certified copy of such order to its clerk.

Respectfully submitted,

FIDELITY NATIONAL LAW GROUP

_____/s/_____
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Counsel for Plaintiff Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the above Motion to Remand was filed through the Court's ECF system on 13th day of April, 2018, and sent by first-class mail, postage prepaid to:

Business Loan Center, LLC
c/o United Corporate Services, Inc., R/A
20 South Charles Street, Suite 1200
Baltimore, MD 21201
Defendant

Helen Metafaria
907 Johnson Grove Lane
Bowie, MD 20721
Defendant

Harold Edwards
907 Johnson Grove Lane
Bowie, MD 20721
Defendant

/s/

H. Matson Coxe (Fed. Bar # 19388)